

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA

05 DEC -7 PM 2:55

OFFICE OF THE CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.) 8:05CV468
)
A PARCEL OF LAND LOCALLY KNOWN AS) ORDER
5521 NORTH 52ND STREET, OMAHA,)
NEBRASKA;)
)
ONE 1999 RED CHEVROLET CORVETTE,)
VIN 1G1YY22G0X5118282; and)
)
\$6,472.00 IN UNITED STATES CURRENCY,)
)
)
Defendants.)

NOW ON THIS 7 day of December, 2005 this matter comes on before the Court upon the Stipulation of the parties (Filing No __). The Court reviews the file and the Stipulation, and, being duly advised on the premises, finds as follows:

1. The Defendant property, \$6,472.00 in United States currency, should be returned to the Claimant, Jennifer Holley, by delivering the same to the trust account of her attorney of record, David L. Herzog.
2. Pursuant to this Court's Order dated October 5, 2005 (Filing No. 6), the United States Marshal for the District of Nebraska ("Marshal") has published notice of his intent to dispose of the properties in such a manner as the Attorney General may direct. An Affidavit of Publication was filed herein on December 1, 2005 (Filing No. 11). In response to said published notice, no person

or entity has filed a Petition setting forth any legal or equitable interest in the Defendant properties.

3. The remaining Defendant properties, viz., a parcel of land locally known as 5521 North 52nd Street, Omaha, Nebraska, and one 1999 red Chevrolet Corvette, VIN 1G1YY22G0X5118282, should be forfeited to the United States.

4. The parties' Stipulation should be approved.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

A. The parties' Stipulation is hereby approved.

B. The Defendant property, \$6,472.00 in United States currency, should be returned to the Claimant, Jennifer Holley, by delivering the same to the trust account of her attorney of record, David L. Herzog.

C. Pursuant to this Court's Order dated October 5, 2005(Filing No.6), the Marshal has published notice of his intent to dispose of the properties in such a manner as the Attorney General may direct. An Affidavit of Publication was filed herein on December 1, 2005 (Filing No. 11). No person or entity has filed a Petition, in response to said published notice, setting forth any legal or equitable interest in the subject properties.

D. The remaining Defendant properties, viz., a parcel of land locally known as 5521 North 52nd Street, Omaha, Nebraska, and one 1999 red Chevrolet Corvette, VIN 1G1YY22G0X5118282, are hereby forfeited to the United States. All right, title or interest in or to the Defendant properties held by any person or entity is hereby forever barred and foreclosed.

E. The Marshal shall dispose of said, parcel of land locally known as 5521 North 52nd Street, Omaha, Nebraska, and one 1999 red Chevrolet Corvette, VIN 1G1YY22G0X5118282, in accordance with law.

F. Upon David L. Herzog's receipt of the \$6,472.00 in United States Currency, as mentioned above, he shall file a Receipt for said amount. Upon the filing of said Receipt, this Court shall enter a Judgment in this action.

BY THE COURT:


JOSEPH F. BATAILLON
CHIEF JUDGE
U.S. DISTRICT COURT

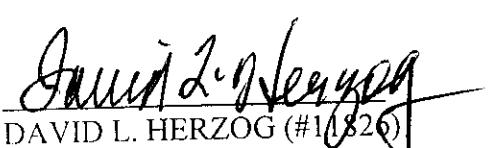
Prepared and submitted by:

Nancy A. Svoboda (#17429)
Attorney for the Plaintiff
1620 Dodge Street, Suite 1400
Omaha, Nebraska 68102-1506
(402) 661-3700

Approved as to form and content:

A PARCEL OF LAND LOCALLY
KNOWN AS 5521 NORTH 52ND
STREET, OMAHA, NEBRASKA;
ONE 1999 RED CHEVROLET
CORVETTE, VIN 1G1YY22G0X5118282
and \$6,472.00 IN UNITED STATES
CURRENCY. Defendants, and JENNIFER
HOLLEY, Claimant

By:


DAVID L. HERZOG (#10826)
Attorney at Law
209 S. 19th St., Ste. 150
Omaha, NE 68102
(402)341-5311